

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**BLACK WARRIOR RIVER-)
KEEPER, INC.,)
Plaintiff,)
v.)
DRUMMOND COMPANY, INC.,)
Defendant.)**

Case No. 2:16-cv-01443-ACK

**NOTICE OF HEARING ON REQUEST FOR SUPPLEMENTATION OF
PLAINTIFF'S INTERROGATORIES, REQUESTS FOR PRODUCTION
AND FOR ENTRY UPON LAND FOR INSPECTION**

Plaintiff Black Warrior Riverkeeper (“BWR”) files this Notice, pursuant to Appendix IV of the Court’s Civil Forms governing this action, to notify counsel of record that this discovery dispute has been placed on the Court’s discovery calendar for hearing on December 17, 2021. In accordance with Appendix IV, the source materials relevant to the dispute will be submitted by email to Chambers no later than Monday, December 13, 2021.

The substance of the dispute is as follows. BWR has requested that Defendant Drummond Company supplement its responses to interrogatories and requests for production to provide data and other information relating to extensive sampling, permitting and remediation work performed at the Maxine site after the

close of discovery. Despite several requests, Drummond has declined to provide responses, for the reasons stated in the correspondence which will be submitted to Chambers. BWR also seeks access to the site so that its attorneys and experts can inspect the work prior to trial, which is set for May of 2022. Drummond has refused this request as well. Undersigned counsel for BWR certifies pursuant to Federal Rule of Civil Procedure 37(d)(1)(B) that BWR has conferred in good faith with opposing counsel in an effort to obtain the necessary information to which it is entitled without court action.

Respectfully submitted this the 10th day of December, 2021.

/s/ Barry Brock

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CERTIFICATE OF SERVICE

I hereby certify that on December 10th, 2021, the foregoing was filed with the Clerk of Court using the CM/ECF system which will send notifications of such filing and service copies to the following:

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